

AN ORDINANCE **98200**

GRANTING THE STATE OF TEXAS, THROUGH ITS TEXAS TRANSPORTATION COMMISSION, THREE (3) EASEMENTS LOCATED SOUTH OF STARCREST DRIVE IN CONNECTION WITH THE WURZBACH PARKWAY FOR THE APPRAISED AMOUNT OF \$53,925.00.

* * * * *

WHEREAS, Petitioner Texas Department of Transportation (TxDOT) has requested that the City of San Antonio grant to the State of Texas, acting by and through the Texas Transportation Commission, perpetual easements over three tracts of property located south and east of the Blossom Athletic Center, located just south and east of Starcrest Drive, containing approximately 16.331 total acres, in connection with the Wurzbach Parkway Project; and

WHEREAS, an independent appraisal was performed and the value of the easements was determined to be \$53,925.00; and

WHEREAS, in compliance with City procedures, TxDOT's request has been canvassed throughout all interested City departments, utilities, and applicable agencies, and Petitioner has agreed to the conditions imposed by Time Warner Cable, City Public Service, and the San Antonio Water System and Petitioner has executed a Letter of Agreement evidencing such agreement; and

WHEREAS, the City Planning Commission, at its regular hearing of September 10, 2003, considered said request and following a public hearing, approved the request granting the State of Texas, through its Texas Transportation Commission, three easements in connection with the Wurzbach Parkway; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Three easements are hereby granted to the State of Texas, through its Texas Transportation Commission, such easements being located South of Starcrest Drive in connection with the Wurzbach Parkway Project, for the consideration of \$53,925, representing the appraised value of the easements, specifically identified as : Two Right of Way Easements described as Parcel 42 containing 0.201 of an acre and Parcel 44 containing 14.718 acres, respectively, and one Drainage Easement for Highway Purposes described as Parcel 44E containing 1.412 acres.

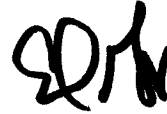
SECTION 2. The City Manager or her designee, is authorized to execute the three easements, copies of which, in substantially final form, are affixed hereto as Attachments I, II, and II, with copies of the final executed easements to be substituted and affixed hereto as Attachments I, II, and III, respectively and incorporated herein verbatim for all purposes.

SECTION 3. The \$53,925.00 in funds to be received from the petitioner is to be recorded in Fund 11-000000 (General Fund) in Index Code 040337 entitled "Sale of Land".

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance shall become effective on the 5^h day of October, 2003.

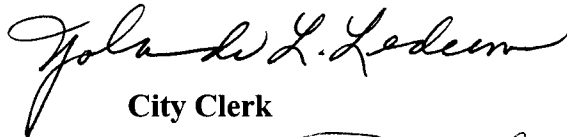
PASSED AND APPROVED this 25th day of September, 2003.



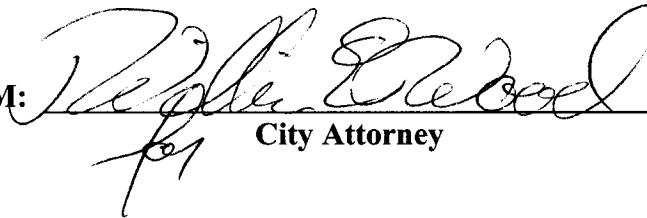
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney